

## Exhibit A to Complaint

*US Right to Know v. United States Department of Education*  
*Case No. 3:20-cv-9117*



July 6, 2020

U.S. Department of Education  
Office of the Executive Secretariat  
400 Maryland Ave., SW, LBJ 7W104  
Washington, DC 20202-4500  
Attn: FOIA Service Center

VIA e-mail: EDFOIAManager@ed.gov

**RE: Freedom of Information Act Request**

Dear FOIA Officer:

This is a request under the Freedom of Information Act, 5 U.S.C. § 552, *et seq*, to the United States Department of Education ("ED") pertaining to records recently obtained by ED from the University of Texas' Medical Branch (UTMB) at Galveston under Section 117 of the Higher Education Act of 1965 (20 U.S.C. § 1011f).

For this FOIA request, we are specifically seeking copies of the following records cited in the April 24, 2020 [letter](#) from the ED Office of the General Counsel to the UT System's Chancellor:

1. Each gift or donation agreement, contract, and/or conditional gift or donation agreement or contract to which UTMB and the Wuhan Maximum Containment Laboratory (MCL), the Wuhan Institute of Virology, or the Chinese Academy of Sciences are parties.
2. A complete list identifying and providing the last known contact information for UTMB's faculty and staff (including full and part time employees and contractors) involved in the administration, direction, or scientific and/or other research cooperation, fund raising, or any other efforts involving the Wuhan MCL, the Wuhan Institute of Virology, or the Chinese Academy of Sciences.
3. All records (including but not limited to emails and true copies of contracts and/or gift or donation agreements) of, regarding, or relating to the Wuhan MCL, the Chinese Academy of Sciences, Wuhan and MCL researcher Shi Zhengli or Shi Zheng-Li.

The relevant time frame for the above records is from January 1, 2012 through the present.

The scope of the search should encompass all individual hard drives, shared drives, e-mail accounts and/or communication devices (including personal e-mail accounts and communication devices) that would be reasonably likely to maintain responsive records.

We request that you disclose the listed documents and materials as they become available to you, without waiting until all the documents have been assembled.

Exposing what the food industry *doesn't* want us to know

If documents are denied in whole or in part, please specify which exemption(s) is (are) claimed for each passage or whole document denied. Give the number of pages in each document and the total number of pages pertaining to this request and the dates of documents withheld. We request that excised material be "blacked out" rather than "whited out" or cut out and that the remaining non-exempt portions of documents be released as provided under the Freedom of Information Act. Please send a memo (with a copy or copies to me) to the appropriate unit(s) in your office to assure that no records related to this request are destroyed.

Please advise of any destruction of records and include the date of and authority for such destruction. As we expect to appeal any denials, please specify the office and address to which an appeal should be directed.

U.S. Right to Know is requesting a waiver of or, at a minimum, a reduction in fees related to this request. We are a 501(c)(3) nonprofit research organization based in Oakland, California. As a public interest organization, we have no commercial interest in the records that are the subject of this FOIA request and would derive no financial benefit from their disclosure. Our research has been featured many times in newspapers such as *New York Times* and *The Guardian*, as well as in medical and public health journals such as *BMJ*. As with our prior work, we intend to disseminate newsworthy information to the general public by way of academic or media articles, or fact sheets, relying upon any records released in response to this FOIA request. These records, which are not publicly available at present, may shed light on the potential origins of the SARS-CoV2 virus as well as on interactions between U.S. biosafety facilities and their employees, operating both within the U.S. and abroad, with entities linked with the Wuhan MCL, Wuhan Institute of Virology and the Chinese Academy of Sciences. Such disclosure is in the public interest because it is likely to contribute to the public's understanding of the extent to which U.S. taxpayer dollars and resources might be facilitating dual use research of concern on coronaviruses and other dangerous pathogens in China. Further, documentation of such influence is important, and is in the public interest because it concerns how the U.S. public's resources are allocated, whether or not they are being wasted or squandered, and whether the public interest is being served.

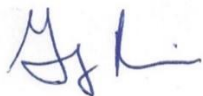
We ask, if fees are assessed, that they not exceed \$25 without first contacting our office for authorization.

Please send the documents electronically in PDF format to Sainath Suryanarayanan at [sainath@usrtk.org](mailto:sainath@usrtk.org).

Please call, rather than write Gary Ruskin, if there are any questions or if you need additional information. He can be reached at (415) 944-7350.

Thank you for your help in filling this FOIA request.

Sincerely,



Gary Ruskin  
Executive Director



Sainath Suryanarayanan  
Researcher